

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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STEPHEN KOWALEWSKI,

Plaintiff,

v.

WAYNE OPICHKA, SOPHIA KORPAL,  
MARK RYSKOSKI, ERIC PUENT  
and BRIAN PUENT,

Defendants.  
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ORDER

18-cv-4-bbc

Pro se plaintiff Stephen Kowalewski is proceeding on a claims that defendants Wayne Opichka, Sophia Korpala, Mark Ryskoski, Eric Puente and Brian Puente unlawfully entered his home and removed his 14-year-old daughter from his custody without a warrant or other cause, in violation of the Fourth and Fourteenth Amendments. Now before the court is defendant Brian Puente's motion to compel plaintiff to respond to his first set of interrogatories and request for production of documents dated July 13, 2018. Dkt. #31. The motion will be granted.

Defendant Brian Puente says that plaintiff missed the August 15, 2018 deadline for responding to the discovery requests and did not respond to defendant's telephone calls and letters until September 25, 2018, when plaintiff told defense counsel in a telephone conversation that he was working on the response but would be contacting the court because he had been having medical problems. Hearing nothing further from plaintiff, defendant filed his motion to compel on October 25, 2018. On November 2, 2018, plaintiff called the court to say that he had received the motion but needed more time to respond. He was told

to put his request in writing to the court as soon as possible. Neither defendant Brian Puent nor the court has heard anything further from plaintiff. Accordingly, I am ordering plaintiff to file his responses to defendant's discovery requests within two weeks or risk dismissal of his case against defendant Brian Puent for failure to prosecute and comply with a court order on discovery.

#### ORDER

IT IS ORDERED that defendant Brian Puent's motion to compel, dkt. #31, is GRANTED. Plaintiff shall have until December 17, 2018 to file his response to defendant's discovery requests. If plaintiff does not submit his discovery response to defendant by this deadline, his case may be dismissed for his failure to prosecute and comply with a court order on discovery.

Entered this 28th day of November, 2018.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge